

African Union, African Regional Bodies

## Annual report of the Pan-African Parliament, March 2004 to March 2005

Legislation as at 31 March 2005

FRBR URI: /akn/aa-au/doc/activity-report/pap/2005/nn/eng@2005-03-31

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Annual report of the Pan-African Parliament, March 2004 to March 2005

Contents

Division – Executive summary ..... 1

1 Establishing the Pan-African Parliament ..... 2

2 Activities of the Pan-African Parliament Bureau ..... 8

3 Activities in the permanent seat (South Africa) ..... 11

4 Achievements ..... 22

5 Challenges ..... 25

6 Way forward ..... 26

7 Conclusion ..... 30

# Annual report of the Pan-African Parliament, March 2004 to March 2005

## Executive summary

The Pan-African Parliament is charged with the task of facilitating the effective implementation of the policies and objectives of the OAU/AEC and the African Union. In addition to promoting the accepted principles of good governance, human rights, solidarity, peace and development in Africa, it is also mandated to familiarize the Peoples of Africa with the policies and objectives aimed at integrating the African continent within the framework of the African Union.

The Pan African Parliament was inaugurated almost one year ago. The Inaugural Session of the Pan-African Parliament was held on 18<sup>th</sup> March, 2004 in Addis Ababa, Ethiopia. Two hundred and two (202) Parliamentarians elected or nominated from forty-one (41) National Parliaments from Member States of the African Union that ratified the Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament participated during the occasion, whereby the Hon. Amb. Gertrude I. Mongella, MP from the United of Republic of Tanzania (Eastern Region), was elected President of the Pan--African Parliament.

This led to the sitting of the First Ordinary Session of the Parliament where the four Vice-Presidents, namely; Prof Dr. F. Jose Dias Van-Du Nem (Angola), 1<sup>st</sup> Vice-President (Southern Region); Prof Dr. Mohammed Lutfi Farahat, (Libya), 2<sup>nd</sup> Vice-President (Northern); Mrs. Loum N. Ne'loumsei Elise (Tchad), 3<sup>rd</sup> Vice-President (Central Region); Mr. Jerome Sacca Kina Guezere (Benin), 4<sup>th</sup> Vice-President (Western Region), were elected. Together with the President, they formed the Bureau of the Pan--African Parliament. The Parliament has since then held three (3) Ordinary Sessions and six (6) Bureau Meetings.

Within the scope of its advisory, consultative and oversight roles, the Parliament has to date passed fourteen (14) Resolutions and thirteen (13) Recommendations. They include, notably, those relating to a Parliamentary Mission to Darfur, which was conducted last year.

In order to promote the vision, mission, and objectives of the African Union, in line with its core objectives, the Pan African Parliament initially invited a number of speakers from the AU and NEPAD to orient the Members.

The consultative and oversight roles required that the Bureau build relationships with institutions and persons to add up to the impetus of the Parliament's objectives. Consequently, the Bureau and the Committees undertook various visits to establish relationships in Africa and beyond. The Parliament also received individual dignitaries and institutional representatives during its Ordinary Sessions.

Furthermore, with its Rules of Procedure, and to utilise the expertise within its Members, the Parliament established ten (10) Permanent Committees, each of which elected a Chairperson, Deputy-Chairperson and Rapportuer. These Committees form a legitimate internal organ of the Parliament and have already formulated and committed themselves to their Work Plans.

Since Parliament's success cannot be separated from its ability to communicate its objectives and initiatives with the peoples of Africa and other stakeholders, the Parliament has launched a website as a first multi-media communication strategy designed to ensure that the Parliament reaches global populations.

The year under review had a number of challenges. The most notable one was the Parliament's budgetary and financial constraints. Since from its inception the Parliament has been singularly funded by the African Union, reduced budgets and delayed disbursements were experienced. The perseverance by it amid such challenges, however, led to new ideas, such as the creation of a Trust Fund that will enable Parliament to bridge the gaps between planning and implementation.

This approach will open up the potential of a new Parliament which is eager to effectively and productively fulfil its mandate in partnership with as many supporters as possible.

This Report gives a full account of the activities carried out by the PanAfrican Parliament (PAP) since its inauguration in Addis Ababa on the 18<sup>th</sup> of March 2004 up to March, 2005. It further gives an in-depth account of the operations, challenges and achievements of the Parliament over the past 2004/2005 year.

As the Parliament forges ahead, it is giving priority to the ratification of the protocol by the remaining African Union Member States so that it begins to carry out the full weight of a unanimous mandate in effecting its role. It acknowledges the need to build capacity, source out for partners, examine priority areas, and strengthen its oversight and advisory roles. It aims at moulding itself into a world-class institution capable of effectively implementing its objectives and those of the African Union, for our benefit as Africans now, and in the future.

The Report is organised as follows:

### **Section 1**

Introduces the background to the establishment of the PAP within the AU framework, its objectives and its relations with other AU organs.

### **Section 2**

Lays down the first activities carried out by the Bureau after its Inaugural Session; the Host Country Agreement and the process towards moving to the Host Country.

### **Section 3**

Presents the activities performed by PAP in the Host Country since September, 2004, in which the Second and Third Ordinary Sessions were held.

### **Section 4**

Chronicles the achievements of the PAP in its first year of operation.

### **Section 5**

Underscores the challenges which the organisation has faced thus far.

### **Section 6**

Presents a way forward with regard to the challenges and achievements.

### **Section 7**

Concludes on the Report.

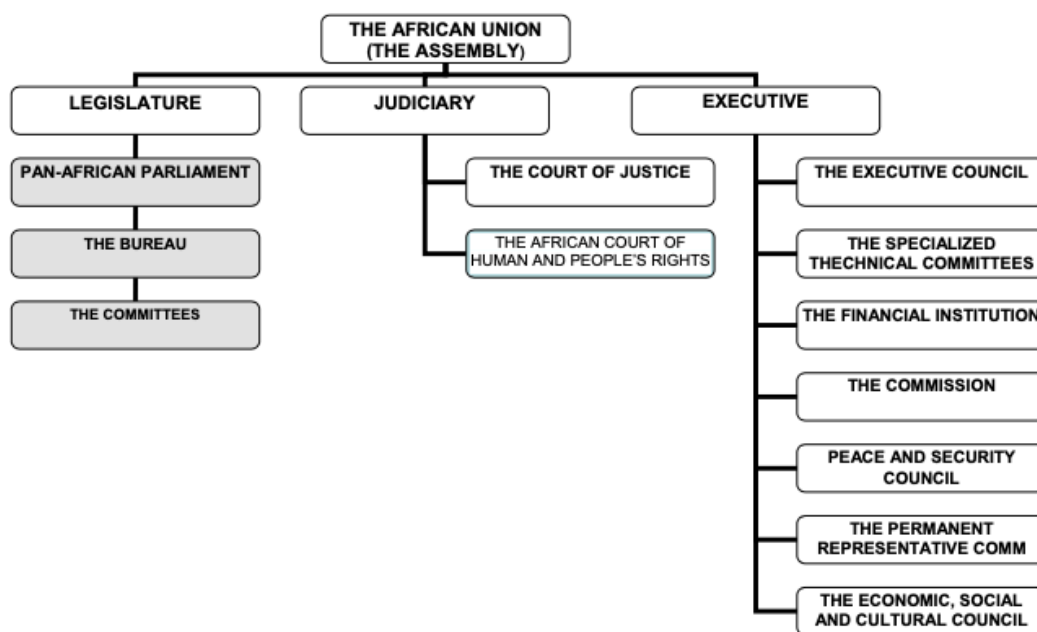
## **1 Establishing the Pan-African Parliament**

### **1.1 The Pan African Parliament as an Organ of the African Union**

The Pan African Parliament is established by the Assembly decision contained in Article 5 of the Constitutive Act of the African Union and the Protocol to the Treaty Establishing the African Economic Community relating to the Pan African Parliament. These documents can be viewed from the African Union website under Pan African Parliament Organ - ([www.african-union.org](http://www.african-union.org)), as per Decision 17(II) of the Second Ordinary Session of the Assembly of the Union held in Maputo, Mozambique from 10 to 12 July 2003.

The Pan-African Parliament is one of the eleven (11) Organs provided for in Article 5 of The Constitutive Act of the African Union and the Protocol on Amendments to the Constitutive Act of the African Union. The Protocol to the Treaty Establishing the African Economic Community relating to the Pan African Parliament has been ratified by 46 countries.

***Diagram 1: Relationship of PAP to AU and other organs***



Source: Compiled from the Constitutive Act of the African Union and its Protocol on Amendments.

## 1.2 Objectives

According to Article 3 of the Protocol, the objectives of the Pan African Parliament are:

- i. To facilitate the effective implementation of the policies and objectives of the OAU/AEC and, ultimately, of the African Union;
- ii. To promote the principles of human rights and democracy in Africa;
- iii. To encourage good governance, transparency and accountability in Member States;
- iv. To familiarize the people of Africa with the objectives and policies aimed at integrating the African continent within the framework of the establishment of the African Union;
- v. To promote peace, security and stability;
- vi. To contribute to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery;
- vii. To facilitate cooperation and development in Africa;
- viii. To strengthen Continental solidarity and build a sense of common destiny among the peoples of Africa;
- ix. Facilitate cooperation among Regional Economic Communities and their Parliamentary forums.

## 1.3 Inauguration of PAP

The Inaugural Session of the Pan-African Parliament was held from 18 to 20 March 2004, in Addis Ababa, Ethiopia. The session was marked by the Opening ceremony and the 1<sup>st</sup> Session of the Parliament. At the Session, two hundred and two (202) Pan-African Parliamentarians elected or nominated, out of a total of 205 from forty-one (41) Member States of the African Union that had

ratified the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament, attended.

### 1.3.1 Inaugural Session of the Pan-African Parliament

Under the Chairmanship of H.E. Joaquim Alberto Chissano, President of the Republic of Mozambique, and then Chairperson of the African Union, the Inaugural Session, which opened on 18 March 2004, was marked essentially by the swearing of the oath of office/solemn declaration by the Pan-African Parliamentarians and the election of the President of the Parliament. The deliberations of this Inaugural Session took place at the United Nations Conference Centre in Addis Ababa.

The event was graced by the presence of the following personalities:

- **Mr. Girma Wolde-Giorgis, President of the Federal Democratic Republic of Ethiopia;**
- **Mr. Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia;**
- **Mr. Alpha Oumar Konare, Chairperson of the Commission of the African Union;**
- **Mr. K. Y. Amoako, Executive Secretary of the Economic Commission for Africa and representative of the UN Secretary General; and**
- **Representatives of Parliamentary and Inter-parliamentary Organizations as well as distinguished invitees, the list of which is annexed to the report.**

### 1.3.2 Opening Ceremony

After a word of introduction by Mrs. Julia Jolly Joiner, Commissioner for Political Affairs of the African Union Commission, the then Chairperson of the Assembly of Heads of State and Government of the African Union, H.E. Joaquim Alberto Chissano, President of the Republic of Mozambique, entered the plenary hall, accompanied by the President and the Prime Minister of the Federal Democratic Republic of Ethiopia, as well as the Chairperson of the AU Commission.

In his capacity as Chairperson of the Session, and in keeping with Article 14(1) of the Protocol, President Chissano declared the Session open.

### 1.3.3 Welcome Address by Prof. Alpha Ouma Konare, Chairperson of the Commission of the African Union.

Prof. Alpha Oumar Konare expressed his appreciation of having to finally witness the inception of the Pan-African Parliament. He hailed the presence of all participants and expressed his concern at the wave of terrorist attacks perpetrated worldwide. In this regard, he deplored the recent bomb explosions in Spain and the Near East, which claimed many lives.

He then traced the origins of the African Union from the times of Marcus Garvey in 1904 to Haile Selassie, Emperor of Ethiopia, culminating in the establishment of the Pan-African Parliament in 2004. He reviewed the contributions of great statesmen of Africa and the African Diaspora in the process of leading up to the establishment of the African Union. He paid special tribute to Emperor Haile Selassie, first African Statesmen such as Kwame Nkruma, Mwalimu Julius K. Nyerere, and others, for their dedication to the cause of African Unity. Alluding to the problems bedeviling the African continent, he stated that Africa should create the channels for its own progress and destiny.

He intimated that the 21<sup>st</sup> Century is Africa's century, adding that the immense human potential of 1.5 billion inhabitants, including 800 million youths, which Africa would have in the next twenty years, could be considered an invaluable wealth. He also mentioned the presence of NEPAD, inviting the Parliamentarians to work towards its effective implementation.

**1.3.4 Speech by Mr. Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia**

The Prime Minister of Ethiopia, Mr. Meles Zenawi, welcomed all participants to his country. He dwelt on the expectations of the African peoples, namely, peace and security, development and solidarity. He expressed the hope that an Africa reunited today through the Pan--African Parliament would emerge greater, united and inter-dependent.

**1.3.5 Swearing of the Oath of Office or Solemn Declaration.**

This ceremony of swearing of the Oath or Solemn Declaration was conducted by four (04) nominated Senior Parliamentary Officials, on the basis of the different working languages of the Pan-African Parliament, namely: Arabic, English, French and Portuguese. The Senior Parliamentary Officials were as follows:

- The French language group, Mr. Douiti N'Sarma Mabiba of Togo;
- The English language group, Mr. Fidele Rwingamba of Rwanda;
- The Arabic language group, Mr. Muftah Suisse of Libya;
- The Portuguese language group, Mr. Amilcar Mario Quinta of Angola.

Thus, 202 Pan-African Parliamentarians from 41 Member States took the oath or made their solemn declaration in the working languages of their choice. Classified in four groups, they took the oath of office or made a solemn declaration in the following order:

- Parliamentarians of the Arabic language group
- Parliamentarians of the English language group
- Parliamentarians of the French language group, and
- Parliamentarians of the Portuguese language group.

After this ceremony, the Chairperson of the African Union made his speech.

**1.3.6 Speech by the then Chairperson of the African Union, His Excellency Joaquim Chissano.**

In his speech, President Chissano congratulated the Pan-African Parliamentarians who had just assumed office and hailed the inception of the Pan-African Parliament expected to fulfil the hopes and aspirations of the African people. Placing Africa in its present context, which is marked by profound changes and conflict situations, President Chissano felt that the establishment of this new institution was another step towards the resolve of its difficulties. The Pan-African Parliament should, through its actions, raise the hopes of the African populations.

He was of the opinion that without economic development, it would be futile to expect stable political institutions. He invited the Pan-African Parliamentarians to strive for the rapid growth and development of the Continent.

He expressed his profound gratitude to the founding fathers of the Organization of African Unity, whose efforts made it possible to establish this Parliament today. He urged the Pan-African Parliamentarians to work towards ensuring that Africa's voice was heard more strongly in the concert of nations.

He believed that NEPAD is a futuristic vision of development whose success the Pan-African Parliamentarians should ensure, in terms of improved living conditions for the people they represent. To this end, President Chissano invited the Pan-African Parliament to initiate sessions on NEPAD in order to gain better understanding of the programme. He also invited the Parliament to organize brainstorming sessions on the current major challenges with

other organs of the African Union to facilitate the adoption of appropriate strategies and methods of implementations.

President Chissano finally said he was convinced that Africa would be able to live up to all the challenges.

#### **1.3.7 Election of the President of the Pan-African Parliament**

Before conducting the election of the President of the Pan African Parliament election, the Parliamentarians adopted the rules for the election of the President of the Parliament. In compliance with the Protocol, the President was to be elected by secret ballot and by simple majority of the Members present and voting.

Three candidatures were announced, namely the candidature of Ghana, The Sudan and Tanzania. At the end of various consultations, Ghana and The Sudan withdrew in favour of Tanzania. Therefore, Mrs. Mongella Gertrude Ibengwe, a Tanzanian Parliamentarian (Eastern Region), became the sole candidate for the post.

For the occasion, a ballot was designed and presented with the following characteristics: the ballot bore the name of the sole candidate with a box beside it. Each Parliamentarian was requested to vote by indicating his/her vote in the box.

For the different voting exercises, an Election Officer, assisted by four (04) Deputies, had been nominated by the Chairperson of the Session.

At the end of the voting exercise, the following results were obtained:

Voting: 201 Parliamentarians voted

- 166 for;
- 21 against;
- 13 abstentions.

In the light of these results, President Chissano declared Hon. Amb. Gertrude I. Mongella, M.P., President of the Pan-African Parliament. She was then invited to take the oath of office.

#### **1.3.8 Swearing in of the President Elect of the Parliament**

H.E. President Gertrude I. Mongella, President Elect of the Pan-African Parliament then took the oath of office.

#### **1.3.9 Acceptance speech by the President Elect of the Pan--African Parliament**

H.E. President Gertrude I. Mongella made an acceptance statement in which she thanked her parliamentary colleagues for the trust they had just placed in her. She welcomed the selection of a woman to lead this key institution and expressed satisfaction at the collective awareness, by fully associating women in the management of the affairs of the Continent.

She expressed her optimism that the promotion of the peoples of Africa, men and women, the youth, the family, as well as the observance of human rights, culture and democratic consolidation, good governance, promotion of peace and security, the advancement of education and technical skills, were fertile grounds upon which a new Africa would flourish.

She promised to work in the interest of the African Peoples and solicited the support of each and everyone in order to achieve the set objectives of the Pan-African Parliament.

After this statement, the President Elect assumed the chair for the rest of the Inaugural Session.

The deliberations of the Inaugural Session continued under the presidency of H.E. President Gertrude I. Mongella, President of the Pan-African Parliament with the reading of the vote of thanks by an Ethiopian Parliamentarian.



### 1.3.10 **Vote of Thanks presented by a Member of the Pan-African Parliament.**

The Vote of Thanks was read by an Ethiopian Member of Parliament in the person of Hon. Muluaem Bessie. Hon. Bessie welcomed the establishment of the Pan-African Parliament and thanked the Ethiopian authorities for the hospitality and warm welcome extended to Members and participants. He also thanked the AU Commission and the Steering Committee for the efforts deployed to prepare the launch of the Pan--African Parliament.

### 1.4 **Election of the Vice Presidents**

According to the draft Rules of Procedure for the election of the Vice Presidents at the Inaugural Session, each Region excluding the region of the President was required to present two candidates, one of which should be a woman.

Under the Chairmanship of the newly elected President of the Pan-African Parliament, four (4) Vice-Presidents were elected and sworn in, in accordance with Article 12(4) of the Protocol as follows:

- Hon. Prof. Dr. Van-Dunem Fernando Jose de Franca, MP (Angola); 1<sup>st</sup> Vice-President (Southern Africa)
- Hon. Prof. Dr. Mohamed Lufti Farhat, MP (Libya); 2<sup>nd</sup> Vice-President (Northern Africa)
- Hon. Mrs. Loum Ndoadoumngue Elise (TChad); 3<sup>rd</sup> Vice-President (Central Africa)
- Hon. Jerome Sacca Kina Guezere (Benin); 4<sup>th</sup> Vice-President (Western Africa)

### 1.5 **Formation of Ad Hoc Committees**

During its first plenary session held in Addis Ababa from 18 to 20 March 2004, Pan African Parliament established (3) Ad Hoc Committees as follows:

- The Rules Ad Hoc Committee
- The Budget Ad Hoc Committee
- The Credentials Ad Hoc Committee

#### 1.5.1 **Rules Ad Hoc Committee**

The Rules Ad Hoc Committee held its first meeting in Addis Ababa, Ethiopia from 3 - 7 May, 2004 to work on the Rules of Procedure. The work of the Ad Hoc Rules Committee was, not completed during that time due to lack of financial resources.

The Rule Ad Hoc Committee met again on 23 August - 3 September, 2004 and 13 - 15 September, 2004, at Gallagher Estate, Midrand, South Africa. The Committee completed its work for consideration and adoption by Parliament.

#### 1.5.2 **Budget Ad Hoc Committee**

The Budget Ad Hoc Committee first met in Addis Ababa, Ethiopia from 3 - 7 May, 2004, to draft and present to the Bureau the budget proposal for the period of July to December, 2004, and the fiscal year 2005, for consideration.

#### 1.5.3 **Credentials Ad Hoc Committee**

The Credentials Ad Hoc Committee also first met from 3 - 7 May, 2004, in Addis Ababa, Ethiopia. The aim of the meeting was to examine whether the nominations of the members of the Pan-African Parliament were in conformity with Articles 5, 6 and 7 of the Protocol relating to establishment of the Pan-African Parliament. A report was submitted to the Bureau with the following observations:

- 22 Member States signatories of the Protocol relating to the Pan African Parliament were found in conformity with the provisions 4, 5 and 7 of the Protocol concerning the political diversity and gender representation;
- 19 Member States were requested to provide more information to the AU Commission in order to allow the Ad Hoc Credentials Committee to complete its task.

The Committee met again from 13 to 14 September 2004 at Gallagher Estate and it confirmed the membership of countries which submitted the information regarding the designation of the Members of Parliament by political diversity and gender representation.

## **2 Activities of the Pan-African Parliament Bureau**

### **2.1 Composition of the Bureau**

The Bureau of the Pan-African Parliament, composed of the President and four Vice Presidents, met for the first time during the Inaugural Session (18-29 March, 2004) to examine the way and means of discharging its functions in accordance with provisions 11 and 12 of the Protocol.

### **2.2 Budget processing**

The Bureau worked on, finalized, and submitted the Budget Proposal of USD 27,137,671.00 for the period of July to December, 2004 to the PRC on 28 June 2004. The budget was meant to lay solid and lasting foundation for the smooth functioning of the Parliament and to ensure the effectiveness of initial activities for the initial period of six months. It was based on the objectives and functions of the Pan-African Parliament as stipulated in the protocol. The proposed budget for the year 2004 was mainly to cover the establishment costs of the Pan-African Parliament, which included:

- Staff recruitment and personnel
- Parliament Session
- Committee Meetings
- Bureau Meetings
- Equipment
- Other meetings of the African Union and its Organs, Regional Parliaments and International Bodies

The proposed budget of 2004, was presented to the Permanent Representatives Committee (PRC), met on 28 June, 2004, and made observations and recommendations to the budget as follows:

- Proposed the deletion of allowances and per diems;
- Recommended member states to cover expenses for PAP sessions and committee meetings, travel expenses and per diem for Parliamentarians;
- Reduce number of sessions and days for each session to a maximum of 15 days including weekends and public holidays;
- Reduce the number of personnel to a maximum of 15 staff members whose grades will be harmonized with those of the AU Commission;
- Deleted medical expenses while a Member was attending PAP meetings and proposed that costs should continue being borne by National Parliaments;
- Make use of extra-budgetary resources;
- Only the President of the Parliament, if necessary, may from time to time reside at the headquarters while the other Members of the Bureau will remain in their respective countries and will only come for meetings convened by Parliament.

Following the views expressed by the PRC, and taking into consideration of the functions of PAP and its requirements, the Bureau revised the Draft Budget accounting for suggestions made by PRC, and re-submitted to PRC on 29 June, 2004 a revised budget of USD 18 million; a reduction of 33.3%. The budget matter was then referred to the Executive Council for consideration.

#### 2.2.1 Consideration of PAP 2004 Budget by Executive Council

The Executive Council took note of the budget proposed by the PAP Bureau and the observations made by the Permanent Representatives Committee (PRC). The Council requested the Commission of the AU, in collaboration with Bureau, to prepare a new budget, taking into account its directives namely:

- Member states should bear the expenses for the participation of the Members of the Pan-African Parliament, including the members of the Bureau and Committees (air ticket, per diem and other related expenses) at the statutory meetings of the Pan-African Parliament and its Committees during the first 5 years of its existence;
- Members of the Bureau shall not reside at the seat of Parliament during the first 5 years of the existence of the Parliament;
- The Member State hosting the headquarters of the Parliament should be requested to provide furnished and equipped premises for the Parliament;
- For the period of July to December, 2004, the AU Commission should continue to provide Secretariat services to the Pan-African Parliament, in compliance with the provisions of the Protocol;
- Sitting and responsibility allowances, as well as Solidarity Fund, medical insurance and other allowances for Members of the Pan-African Parliament should continue to be borne by Member States during the first 5 years;
- The duration of the sessions should be reviewed downwards, to make a maximum of 15 days, including weekends and public holidays;
- Authorized the Permanent Representatives Committee (PRC) to consider and approve the Budget for the period of July to December, 2004 and be submitted at the Extra-Ordinary Session of the Executive Council in November, 2004;
- Finally the AU Commission requested a special fund of 1.7 million expenditure for PAP to cover for September - December 2004 period.

#### 2.2.2 Resource requirements for PAP

- **Funds and staff needed**

The Permanent Representative Committee (PRC) met on the 1<sup>st</sup> of September, 2004 and approved USD 1,750,000.00 to cover from the expenses for September - December, 2004 and for the Pan-African Parliament 2<sup>nd</sup> Session.

Since March, 2004, the PAP worked without a budget and needed staff. According to the Executive Council decision, the Commission had been requested to provide Secretariat services to the Pan-African Parliament for the period of September - December, 2004.

The Commission being guided by this decision proposed a total number of seven (7) staff from the Commission. In addition to these staff, a qualified Clerk will be identified and support staff on short term secondment from Member States of PAP. The Bureau identified the Interim Clerk and 2 Deputy Clerks and support staff for the same period, with the hope of recruiting permanent staff as soon as funds were made available.

- **Equipment**

According to the Host Country Agreement, all PAP offices, sub offices, field offices, equipment, installations and facilities made available, to be occupied, maintained or used by PAP in the Host Country for purposes of the PAP and its Secretariat will be provided for by the government of the Host Country.

### 2.3 Bureau Meeting with the AU Commission

On 26 August, 2004 the Bureau Members had a meeting with H.E. Alpha Oumar Konare, the Chairperson of the African Union Commission in order to discuss the pending issues related to the establishment of the Pan-African Parliament as well as the provision of the funds.

Other issues included:

- Meetings of the Ad Hoc Committees before the September PAP Session
- Staff requirements for the Second Session
- Opening Ceremony of Second Session
- Request for funds for the period October to 31 December 2004

### 2.4 Visit of the President to the Host Country-Gallgher Estate, Midrand South Africa

On 21 July, 2004, the President of the Pan-African Parliament visited Gallagher Estate in Midrand, South Africa, the premises of the Pan African Parliament. A meeting was held with Presiding Officers, Officials of the South African Parliament, officials of the South African Department of Foreign Affairs and the Management of the Gallagher Estate. The aim of the meetings was to discuss the preparatory work for the Second Session of the Pan-African Parliament. The issues discussed included:

- Proposed dates of the Second Session Meetings
- Staff requirements
- Security and accreditation
- Opening Ceremony
- Infrastructure arrangements needed at Gallagher Estate

Another preparatory meeting was held on 13 August, 2004 in Addis Ababa, Ethiopia. The meeting was attended by the Hon. Gertrude Ibengwe Mongella, MP, President of the Pan-African Parliament, Mrs Julia Joiner, the AU Commissioner for Political Affairs, and Official from the AU and the Parliament of South Africa.

Matters discussed and agreed at the meeting included:

- Meetings of the Ad Hoc Committees
- Protocol and Administrative Guide for the Second Ordinary Session
- Second Sitting of the Pan-African Parliament
- Staff requirements for the Second Session of the Pan-African Parliament
- Opening Ceremony
- Host Country Agreement
- Language services provision and parliamentary records
- Accommodation and transportation arrangements

## 2.5 **Third Ordinary Assembly of the AU in Addis Ababa 6-8 July 2004**

The President and the 1<sup>st</sup> Vice-President of PAP attended the Third Ordinary Session of the Assembly of Heads of State and Government in Addis Ababa from 6-8 July, 2004. The President of PAP presented a brief report of PAP activities covering the period of March - June, 2004, and stressed the urgent need to provide PAP with adequate financial resources for proper functioning of the Parliament. Accordingly, the Heads of State and Government endorsed under decision (Assembly/AU/Dec.39(iii)) the decisions of the Executive Council (EX. CL/ Dec. 98(V)) relating to the Budget of the Pan-African Parliament.

### 2.5.1 **Selection of the Host Country**

In terms of Article 16 of the Protocol, "the Seat of the Pan-African Parliament shall be determined by the Assembly and shall be located in the territory of the state party to this protocol". At the last Assembly of the Heads of State and Government held in July, 2004, in Addis Ababa, a decision was taken to make the Republic of South Africa, the host of the Pan-African Parliament.

### 2.5.2 **Host Country Agreement**

After the Assembly of the African Union adopted the decision (Assembly/AU/Dec.39(III)) in Addis Ababa, Ethiopia from 6 - 8 July, 2004 to the effect that the Republic of South Africa would be the host and Seat of the Pan-African Parliament. The government of South Africa and the African Union signed the Host Country Agreement on 16 September 2004. Therefore, the PAP is now settled in Gallagher Estates, Midrand, South Africa. Since then, H.E. Thabo Mbeki the President of the Republic of South Africa, his government and the people of South Africa have honoured and taken up this responsibility diligently. The support and cooperation shown during the preparation of the Second Session is a clear testimony of South Africa's commitment to support the efforts of establishing a strong Pan-African Parliament as a democratic institution.

## 3 **Activities in the permanent seat (South Africa)**

### 3.0 **PAP activities in its permanent seat - South Africa**

The Bureau of PAP is ultimately responsible for the organization and operation of the Parliament as an Institution. Since PAP's settlement in its permanent seat, the Bureau has been tasked with designing and implementing the *modus operandi* of PAP; that is, recruiting interim staff, organizing the Ordinary Sessions, and overseeing PAP's advocacy as an Institution and Organ of the AU.

### 3.1 **Second Ordinary Session**

The Second Ordinary Session was held from 16 September 2004 to 1 October 2004 at Gallagher Estates in Midrand, South Africa, and was facilitated by the AU Member States and the South African Government.

#### 3.1.1 **Swearing in of Members**

At the beginning of the Second Ordinary Session, the following members were sworn in:-

- i. Hon. B. Mbete (South Africa)
- ii. Hon. M.J. Mahlangu (South Africa)
- iii. Hon. S. Vos (South Africa)
- iv. Hon. Adv. S. Madasa (South Africa)
- v. Hon. C.C. Chimombo (Malawi)
- vi. Hon. L.J. Chimango (Malawi)
- vii. Hon. S.S.J Malamba (Malawi)

- viii. Hon. M.J. Temple (Swaziland)
- ix. Hon. M. Dlamini (Swaziland)
- x. Hon. Gamedze (Swaziland); and
- xi. Hon. M.T. Khumalo (Swaziland).

### 3.1.2 Condolences

The President expressed her condolences on the passing of the Late Hon. Abdulla Edriss Ebrahim of Libya, and the House observed a moment of silence.

### 3.1.2 Chamber Proceedings

The Proceedings of the House, generally, went on smoothly and the House was able to effectively deal with the following important matters:

- i. The Rules of Procedure were considered and approved.
- ii. The Pan-African Parliament Budget for 2005 was considered and approved.
- iii. The House established ten (10) Permanent Committees which elected their Chairpersons, Deputy Chairpersons and Rapporteurs and formulated work plans for the year 2005.
- iv. Important presentations were made and considered on such issues as:
  - Peace and security in Africa;
  - The work of NEPAD and the Peer Review Mechanism; and
  - The Vision, Mission and Strategic Plan of the African Union.

The House also considered, in broad terms, the role of the Pan-African Parliament within the context of the African Union.

### 3.1.3 The Permanent Committees

In accordance with the provisions of Rule 22 of the Rules of Procedure, PAP has established ten Permanent Committees of the Parliament. Each Committee is constituted by a Chairperson, Deputy-Chairperson and a Rapportuer who form the Bureau of the Committee. The Permanent Committees are:

- i. The Committee on Rural Economy, Agriculture, Natural Resources and Environment;
- ii. The Committee on Monetary and Financial Affairs;
- iii. The Committee on Trade, Customs and Immigration Matters;
- iv. The Committee on Co-operation, International Relations and Conflict; Resolutions;
- v. The Committee on Transport, Industry, Communications, Energy, Science and Technology;
- vi. The Committee on Health, Labour and Social Affairs;
- vii. The Committee on Education, Culture, Tourism and Human Resources;
- viii. The Committee on Gender, Family, Youth and People with Disability;
- ix. The Committee on Justice and Human Rights;
- x. The Committee on Rules, Privileges and Discipline;

A Joint Meeting held from 17 - 20 January, 2005 between the Bureau and the Bureau of Committees observed that, due to financial, and other constraints, Committees could

not meet outside Plenary Session, to transact their business. It was agreed that during the Third Ordinary Session, the programme of work for the Plenary and Committees be arranged in such a way as to allow each Committee to conduct its business by being given the opportunity to hold at least three meetings during the Session. This situation would be managed more favourably in the coming year, given that the 2006 budget has incorporated the Committee work plans which stipulate activities and advocacy.

The Joint Meeting also agreed that each Committee be allowed to select three priority activities for implementation during the 2005 Financial Year. The following are the priority activities identified by each Committee.

**3.1.4.1 The Committee on Rural Economy, Agriculture, Natural Resources and Environment;**

The priority activities determined are:

- i. Policy setting workshops for agriculture in view of the food deficits on the Continent;
- ii. Monitoring of agriculture, natural resources management and environmental protection programmes by Parliaments;
- iii. Natural resource management and environmental protection policy setting;
- iv. Animal breeding programmes, and
- v. Development of cereal and protein banks and development of a common market for Africa's primary products.

**3.1.4.2 The Committee on Monetary and Financial Affairs;**

The priority activities determined are:

- i. Understanding financial rules, regulations and procedures of the AU to assess their practicality in drawing up PAP budgets;
- ii. Devising mechanisms to bridge the gap between PAP's financial needs and resources actually made available by the AU; and
- iii. Finalizing the PAP 2006 budget and organizing relevant fund-raising missions.

**3.1.4.3 The Committee on Trade, Customs and Immigration Matters;**

The priority activities determined are:

- i. Expediting the establishment of the African Chamber of Commerce;
- ii. Evaluating progress towards harmonization of tariff laws and identifying required future actions;
- iii. Encouraging the African Governments to harmonize immigration rules, regulations and laws;
- iv. Expediting the elimination of technical, administrative, and regulatory barriers to trade; and
- v. Encouraging the harmonization and eventual abolition of exchange controls in Africa as a prerequisite for currency liberalization and unification (in conjunction with the Monetary and Financial Affairs committee).

**3.1.4.4 The Committee on Co-operation, International Relations and Conflict Resolutions;**

The priority activities determined are:

- i. Organisation of a seminar with the aim of keeping the Committee Members up to date;
- ii. Ten days visit for 2 or 3 members to the African Union Headquarters in order to collect information on conflicts in Africa and their resolution, as well as information on cooperation;
- iii. Assigning 2 or 3 members to
  - Cote d'Ivoire - 15 days;
  - Democratic Republic of Congo - 15 days;
  - Somalia - 15 days; and
- iv. Observing elections continent-wide through 1 or 2 members that will be appointed in collaboration with the Regional Parliamentary Caucuses.

**3.1.4.5 The Committee on Transport, Industry, Communications, Energy, Science and Technology;**

The priority activities determined are:-

- i. Assessing through meetings the situation in each area of jurisdiction of the Committee;
- ii. Making an inventory of all Conventions, Agreements, Protocols and Treaties governing the various domains; and
- iii. Studying NEPAD's Programmes and projects relevant to the Committee's activities.

**3.1.4.5 The Committee on Health, Labour and Social Affairs;**

The priority activities determined are:

- i. Developing a strategic plan for the Committee.
- ii. Briefing on progress to date on the implementation of strategies to combat HIV/AIDS, Tuberculosis and Malaria by an expert from WHO/AFRO. This presentation is to include progress on the implementation of the Abuja Declaration on the Millennium Development Goals (MDGS) related to Health; and
- iii. The role of research in HIV/AIDS and Human Rights - expert from the Aids and Human Rights Research Unit, University of Pretoria.

**3.1.4.6 The Committee on Education, Culture, Tourism and Human Resources;**

The priority activities determined are:

- i. Stocktaking of the status of the AU Technical Committee(s) on education, culture, tourism and human resources in order to examine the extent to which the AU technical faculties are fulfilling their plans and mandate in these areas;
- ii. Stocktaking of the status of the NEPAD technical work in the areas of education, culture, tourism, and human resources in order to examine what NEPAD has done in the areas of Education, Culture, Tourism and Human Resource;



- iii. Conducting a seminar on education and culture in Africa to examine African countries' educational policies and systems. Other areas are Girls' Education, Universal Primary Education; Conflicts as they affect children and women's education; Education and African culture in the era of multimedia exposure; and the need for a University of Africa;
- iv. Publicizing PAP's mandate and the Committee's activities through media and direct mail communication;
- v. Establishing contacts with government agencies, UN institutions, African institutions, International institutions, civil society, and the private sector interested in promoting the ideals of education, culture, tourism and human resources; and
- vi. Collecting data regarding the African human resource available in Africa and the African Diaspora in order to examine the extent to which African governments have neglected to utilise African technical human resources in the Diaspora for Africa's development revolution and integration.

#### **3.1.4.7 The Committee on Gender, Family, Youth and People with Disability;**

The priority activities determined are:-

- i. Presentations to the PAP Plenary of a paper on the Principle and Practice of Gender Equality and Youth Empowerment in Africa;
- ii. Develop strategies to assist Parliament to oversee the development of policies and activities of the AU relating to Family, Youth and People with Disabilities;
- iii. Formulate a proposed amendment to the AU Constitutive Act to indicate the Technical Committee where the Gender Committee relates;
- iv. Need for a Policy to enable Committees to raise additional funds from well wishers for its activities;
- v. Expansion of functions of Committee; and
- vi. PAP Resolution 001/04;

#### **3.1.4.8 The Committee on Justice and Human Rights;**

The Committee will develop and promote respect for sound principles of freedom, civil liberties, justice, human and people rights and fundamental rights within Africa.

A draft procedural guide is being amended and aligned with the Rules of Procedure. However, final drafting and production will get due attention when permanent staff are appointed.

#### **3.1.4.9 The Committee on Rules, Privileges and Discipline;**

This Committee was tasked with formulating a Code of Conduct for Members of the Pan-African Parliament.

#### **3.1.5 Regional Caucuses;**

In addition to the Permanent Committees, five (5) Regional Caucuses were formed whose main objectives are to garner regional support for and integrate the regional socio-economic and political objectives with those of the PAP:

- The Eastern Africa
- The Southern Africa
- The Central Africa

- The Western Africa
- The Northern Africa

### 3.1.6 Resolutions;

During its Second Ordinary session, the Pan African Parliament made the following Resolutions on various issues:

- PAP-Res 001/04:** Resolution Thanking the Republic of South Africa for Hosting the Pan-African Parliament;
- PAP-Res 002/04:** Resolution on Conflict Resolution;
- PAP-Res 003/04:** Resolution on Peace and Security, Women and Children in Armed Conflicts;
- PAP-Res 004/04:** Resolution on Oversight;
- PAP-Res 005/04:** Resolution on Corruption;
- PAP-Res 006/04:** Resolution on Ratification of Protocol on Women's Rights in Africa.

### 3.1.7 Recommendations;

The House made the following Recommendations:

- PAP-Rec 001/04:** Recommendation on the Establishment of a Tenure for the Pan-African Parliament;
- PAP-Rec 002/04:** Recommendation on the New Partnership for Africa's Development (NEPAD) and the African Peer Review Mechanism;
- PAP-Rec 003/04:** Recommendation on Peace and Security in Africa;
- PAP-Rec 004/04:** Recommendation on the Budget for the Pan African Parliament;
- PAP Rec 005/04:** Recommendation on the Role of the Pan--African Parliament;
- PAP-Rec 006/04:** Recommendation on the NEPAD Secretariat to Speed up the Process of Completing NEPAD Projects on Different Issues for Mobilization of Resources for Implementation.

The resolutions and recommendations for the 2<sup>nd</sup> Ordinary Session can be viewed at the PAP's website [//www.pan-african-parliament.org](http://www.pan-african-parliament.org).

## 3.2 Third Ordinary Session

The Third Ordinary Session of the Pan African Parliament commenced with a ceremonial opening on Tuesday, 29<sup>th</sup> March 2005.

The following planned activities were undertaken:

### 3.2.1 Election of the Fourth Vice-President

Following the untimely death of The Hon. Sacca Kina Guezere, who was the Fourth Vice-president of the Pan-African Parliament, Hon. Dr. Nata Theophile (Benin) was elected to replace him.

### 3.2.2 Oaths

At the beginning of the business, the following seventeen (17) new Members took and subscribed to the Oath of a Member of the Pan--African Parliament.

- Hon. Achade Madeleine (Benin);

- ii. Hon. Dr. Mohamed Behussin Gibreal (Libya);
- iii. Hon. Nyiva Mwendwa (Kenya);
- iv. Hon. Mwanicha Okioma (Kenya);
- v. Hon. Abdirahman Hassan (Kenya);
- vi. Hon. Kokorwe Gladys K. Theresa (Botswana);
- vii. Hon. Sebetela Lephimotswe Boyce (Botswana);
- viii. Hon. Gaborone Olebile Marakado (Botswana);
- ix. Hon. Mooka Maithoko (Botswana);
- x. Hon. Rakhudu Keletso Joseph (Botswana);
- xi. Hon. Edward K. D. Adjaho (Ghana);
- xii. Hon. Josephine Hilda Addoh (Ghana);
- xiii. Hon. Moshni Taieb (Tunisia);
- xiv. Hon. Dina Tankani (Niger);
- xv. Hon. Dr. Jose Manuel Gomes Andrade (Cape Verde);
- xvi. Hon. Dr. Orlanda Maria Duarte Santos Ferreira (Cape Verde); and
- xvii. Hon. Eduardo Joaquim Mulembwe (Mozambique)

### 3.2.3 Debates

During the Third Ordinary Session, the Pan African Parliament debated and took decisions on the following matters:—

- i. 2005 Pan-African Parliament Work Plan;
- ii. Annual Report on the Operations of the Pan-African Parliament for 2004/2005;
- iii. 2005 Approved Budget of the Pan-African Parliament;
- iv. Establishment of a Trust Fund as an additional means to mobilize resources to support the work of the Pan-African Parliament;
- v. Resolving Communication and Transport Problems in Africa;
- vi. Issues on Rural Economy, Agriculture, Natural Resources and Environment in Africa;
- vii. The conflict situation in Darfur;
- viii. Organizational Structure and Human Resource Requirements of the Pan-African Parliament;
- ix. Peace and Security Issues in Africa;
- x. Achieving Millennium Developments Goals in Africa;
- xi. Combating HIV/AIDS in Africa; and
- xii. Reforms of the United Nations.

### 3.2.4 Committee of the Whole House

In order to receive full detailed presentations, the House formed itself into The Committee of the Whole House on three occasions in order:

- i: To listen to statements on:

- Combating HIV/AIDS in Africa by AWEPA and UNICEF; and
  - Conflict and peace in Cote d'Ivoire by the Prime Minister of that country;
- ii: To discuss Draft Resolutions and Draft Recommendations on issues arising from deliberations of the Third Ordinary Session.

### 3.2.5 Resolutions

During the third Ordinary Session, the House adopted nine (9) Resolutions:

- i. Resolution on Signing of Adherence to the African Peer Review Mechanism (**PAP-Res. 001/05**);
- ii. Resolution on the Development of a Continental Code of Conduct on the Use and Exploitation of Natural Resources and Environmental Protection (**PAP-Res. 002/05**);
- iii. Resolution on the Appreciation of the Intervention of the Chairperson of the African Union in the Togo Crisis (**PAP-Res. 003/05**);
- iv. Resolution on Appreciation of the Work of Mr Kofi Annan, the Secretary General of the United Nations (**PAP-Res 004/05**);
- v. Resolution Relating to the Presidential Elections in Togo on 24 April, 2005 (**PAP-Res. 005/05**);
- vi. Resolution on the Despatch of Pan-African Parliament Peace Mission to Cote d'Ivoire at the Beginning of May, 2005 (**PAP-Res. 006/05**);
- vii. Resolution on the Despatch of Pan-African Parliament Peace Mission to the Democratic Republic of Congo during the First Fortnight of May, 2005 (**PAP-Res. 007/05**);
- viii. Resolution of Congratulations to H.E. Thabo Mbeki, President of the Republic of South Africa on his Success in Achieving a Peace Agreement between the Warring Parties in Cote d'Ivoire (**PAP-Res. 008/05**); and
- ix. Resolution on the Establishment of an Ad Hoc Committee on Monitoring Events in Darfur and Implementation of Recommendations and Resolutions.

### 3.2.6 Recommendations

The House also passed seven (7) Recommendations:

- i. Recommendation on the Pan-African Parliament Peace Mission to Darfur (**PAP-Rec. 001/05**);
- ii. Recommendation on World Summit on Information Society (**PAP-Rec. 002/05**);
- iii. Recommendation on the African Land Title System (**PAP-Rec. 003/05**);
- iv. Recommendation Relating to the Creation of an African Phytogenetic Resource Bank (**PAP-Rec. 004/05**);
- v. Recommendation on Communication and Transport Infrastructure in Africa (**PAP-Rec.005/05**);
- vi. Recommendation relating to the Request Directed to States Who Have Not Yet Ratified the Constitutive Act of the African Union and the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament (**PAP-Rec. 006/05**); and
- vii. Recommendation on Encouraging Pan-African Investment and Financing Institutions to focus on Africa's Rural Economies (PAP-Rec. 007/05).

Both the Resolutions and Recommendations, can be viewed at the PAP's website: (<http://www.panafricanparliament.org>) were sent to relevant bodies.

### 3.2.7 Statements

Furthermore, the Third Ordinary Session of the Pan African Parliament received statements as follows:

1. The President, in accordance with rules 5(e) and 38(1) (d), of the Rules of Procedure, invited Ambassador Said Djinnit, from the African Union Commission on Peace and Security, to make a presentation on Peace and Security Issues in Africa.
2. The Hon. Somayire Antone, with leave, made a statement in remembrance of the Rwandan Genocide, which took place in 1994.

### 3.2.8 Visits and courtesy calls

The Third Ordinary Session this time around, was blessed to receive prominent visitors who graced the Plenary:

- i: The Visit of the Prime Minister of Cote d'Ivoire H. E Mr Seydou DIARRA and his entourage,
- ii: The House Address by the following Former African Heads of State and Governments who formed a delegation from the African Presidential Archives and Research Centre; Boston, USA. These were:
  - H.E. Nicephore Soglo (Benin);
  - H.E. Sir Quett Kitumile Joni Masire (Botswana);
  - H.E. Aristides Maria Pereira (Cape Verde);
  - H.E. Jerry John Rawlings (Ghana);
  - H.E. Daniel Arap Moi (Kenya);
  - H.E. Karl Offmann (Mauritius);
  - H.E. Ali Hassan Mwinyi (Tanzania);
  - H.E. Kenneth Kaunda (Zambia)
- iii: The Visit of the Speakers from National Parliaments who attended the Opening Ceremony of the Third Ordinary Session were:—
  - Angola: Hon Joao Manuel Gonçaves Lourenço
  - Benin: Hon Kolawole A. Idji
  - Botswana: Hon Gladys K. T Kokorwe
  - Chad: Hon Nassour Guelengdouksia Ouaidou
  - Ethiopia: Hon Yohannes Dawit
  - Gabon: Hon Guy Nzouba-Ndama
  - Gambia: Hon Sheriff Mustapha Diabba
  - Lesotho: Hon Motsamai Ntlhoi
  - Madagascar: Hon Rajemison Rakotomahoro (Senat)  
Hon Jean Lahiniriko (Assemblée Nationale)
  - Malawi: Hon Rodwell Thomas Changara Munyenyebe

- Mali: Hon Ibrahim Boubacar Keita
- Mozambique: Hon Eduardo Joaquim Mulembwe
- Namibia: Hon Dr Theo-Ben Gurirab
- Sierra Leone: Hon Cowan Edmond Kadoni
- South Africa: Hon Balepa Mbete
- Sudan: Hon Ahmed Ibrahimel Tahir
- Uganda: Hon Edward Kiwanuka Ssekandi

### 3.2.9 Committee meetings:

During the Third Ordinary Session, a total of 35 meetings were held by the various Committees:

#### Workshops

- The Committee on Co-operation, International Relations and Conflict Resolution held a workshop on Conflict Resolution on 2 April 2005.
- The Committee on Gender, Family, Youth and People with Disability held a workshop on Conflict Resolutions on 2 April 2005.

## 3.3 Pap Advocacy and other activities

### 3.3.1 Official visits of the President and the Bureau

Under the objectives set out in Article 11 of the Protocol, the President embarked on various missions and official visits in an effort to consolidate the internal operations of PAP, and to strengthen relationships with existing and potential stakeholders. These included:

- i. The International Women's Conference on Gender and Democracy in Berlin Germany 9 - 12 September 2004;
- ii. The Study Visit of the Members of the Pan African Parliament to the Parliamentary Assembly of the Council of Europe 3 - 8 October, 2004, Strasbourg, France;
- iii. Good Governance in Sub-Saharan Africa - A Parliamentarians' Forum in Realistic Policies in North and South 21 - 22 October 2004 Berlin Germany;
- iv. The Balfour Leadership Lecture on Africa in the United States of America: 7 - 13 November 2004;
- v. Women Defending Peace Conference in Geneva 22 - 26 November 2004;
- vi. African Parliamentary Union Conference - Algiers 27 November - 1 December 2004;
- vii. The Extraordinary Executive Council of the African Union - Addis Ababa 5 - 8 December 2005;
- viii. SADC Plenary in Dar es Salaam, Tanzania 11 - 16 December 2004;
- ix. Palestine Elections - Head of Delegation of World Women for Peace Coalition 6 - 12 January 2005;
- x. The World Economic Forum in Davos, Switzerland, 26 - 30 January 2005;
- xi. The Assembly of the African Union;
- xii. Parliaments' Information Management in Africa: Challenges and Opportunities of ICT's to Strengthen Democracy and Parliamentary Governance, 8 - 11 In Nairobi, February 2005

### 3.3.2 PAP Trust Fund

During its initial period of operation, PAP, similar to other institutions of its size and stature, required substantial funding to ensure it was able to set up and execute its administrative functions, while effectively implementing its constitutive obligations.

In an effort to complement funding from the AU Commission, Hon Peter Daka, MP, Chairperson of the Permanent Committee on Monetary and Financial Affairs, on behalf of the PAP, tabled a "Motion for the Establishment of the Pan-African Parliament Trust Fund" during the Third Ordinary Session. The motion spoke to the following:

- *PAP must be the engine to drive the economic, political and social integration of the People of Africa. In order to achieve this mission the Committee on Monetary and Financial Affairs has identified the need to acquire and mobilize financial resources to meet the operational costs of PAP and to finance PAP's programmes and projects on the African Continent;*
- *PAP must put in place a mechanism to procure resources (human, financial and material) from its bi-lateral and multi-lateral partners and from the donor society (including government agencies and private enterprise); and*
- *PAP has to ensure that such a mechanism, at no point in time, compromises its integrity.*

Accordingly, PAP engaged consultants to determine how such a Trust Fund could be established considering, amongst other issues, the following factors:—

- PAP's legal capacity;
- The requirements of PAP;
- The legal status and attributes of a Trust Fund as recognized by international law;
- Requirements for the establishment of a Trust Fund within the jurisdiction of the Host Nation;
- Operating characteristics of a Trust Fund and the respective roles of the Founder, the Trustees and the Beneficiaries; and
- Legal and Tax consequences to future donors and to future beneficiaries of the Trust Fund.

A final document addressing these issues is currently being formulated and will be circulated for review by relevant bodies. In a remarkable gesture of commitment to, and confidence in, the PAP and Trust Fund; the Parliamentarians themselves wanted to lead by example and made donations to kick-start the process. Their contribution and that of future donors will always be remembered in the legacy of the work PAP has effected.

### 3.3.3 Staff recruitment

Pursuant to the relevant provisions in the Protocol and the Rules of Procedure, the PAP Bureau has taken a clear decision to recruit permanent staff complements for the Secretariat. The Organizational Structure prepared under the auspices of the Bureau has shown the Parliament's immediate requirements. These requirements tally reasonably with the recommendations detailed in the PAP 2005 Budget.

### 3.3.4 Communications

The 2<sup>nd</sup> and 3<sup>rd</sup> Ordinary Sessions of PAP have been beamed live across the continent by the South African Broadcasting Corporation (SABC). The newly commissioned PAP website was updating stakeholders far and wide in real-time on the proceedings, and foreign correspondents were abuzz. It was evident for all to see that PAP had grown into a recognized, legitimate and influential Pan-African body. During these Sessions press

briefings for the print and electronic media were successfully held, fulfilling one of PAP's mandates of disseminating information to the Peoples of Africa.

#### 3.3.5 PAP website

The PAP website was launched at the Third Ordinary Session in March 2005. The site represents the first step in creating a communication and information dissemination network that allows a two-way interaction between PAP and its stakeholders.

As testament to the stakeholders' appreciation of the site, it received over 30,000 visitors in March 2005 - its first week of being operational. This overwhelming response unequivocally proves the need to continue to grow and improve the web site. In order to achieve this, PAP intends to include the site in its advocacy budget in the future. The site, thus far, has been funded by the European Parliament for Africa - AWEPA.

## 4 Achievements

### 4.0 Introduction

The Pan African Parliament (PAP) achieved much during its first year of existence. The major areas of achievement are indeed historical milestones in the development and growth of PAP, both continentally and internationally. These achievements should be viewed as complementing the work of the African Union and its Regional and International organs. In this Report, the achievements are briefly recorded below as follows:

### 4.1 The Sessions

The Inaugural Session, of the Pan African Parliament was successfully conducted in Addis Ababa in March 2004. The highlight of event was the election of the of Hon. Ambassador Gertude I. Mongella, M.P., as President of PAP and the four (4) Vice Presidents to compose the Bureau of PAP.

The Second and Third Ordinary Sessions were held in PAP's permanent seat at Gallagher Estate in Midrand, South Africa. Still in its infant state, PAP has set on the ground to pass various resolutions and recommendations for action by relevant bodies as part of its advisory and oversight roles.

### 4.2 The Rules of Procedure

The PAP, through a collective process of consultations and deliberations adopted by the House during the Second Ordinary Session, a set Rules of Procedure were passed to govern the operation of the organs, functions and powers within the Parliament. This process has brought the PAP closer to the goal of establishing a world-class institution that is well-respected and functionally prepared to fulfil its oversight and advisory roles.

### 4.3 Promotion of NEPAD and AU amongst Parliamentarians

As a key player in the promotion of the objectives, vision and mission of the AU, NEPAD, the PAP is fully cognizant of the fact that Parliamentarians are critical stakeholders to the success of these institutions and their programmes. It is for this reason that during the 2<sup>nd</sup> and 3<sup>rd</sup> Ordinary Sessions, both the AU and NEPAD organs were specifically invited to participate in the House.

This exercise will continue as a staple in the Parliament's future, in an on-going effort to highlight both the importance of institutional relationship building and in the interest of institutional growth and development on the continent as a whole.

### 4.4 Establishment of Permanent Committees

In fulfilling one of the key PAP mandates, as laid down in Rule 22 of the Rules of Procedure, ten (10) Permanent Committees of the PAP have been established. The work of the Committees is critical to the oversight and advisory roles of the Parliament, as well as in complementing the need to build effective relationships across the Continent with Regional Economic Communities and other Parliamentary fora. Not only have these Committees started creating an identity for themselves internally, but they have also successfully started forging relationships with like-



minded organizations beyond the continent. This bodes exceptionally well for the promotion of both PAP and the AU as a whole.

#### 4.5 Approval of the 2005 Budget

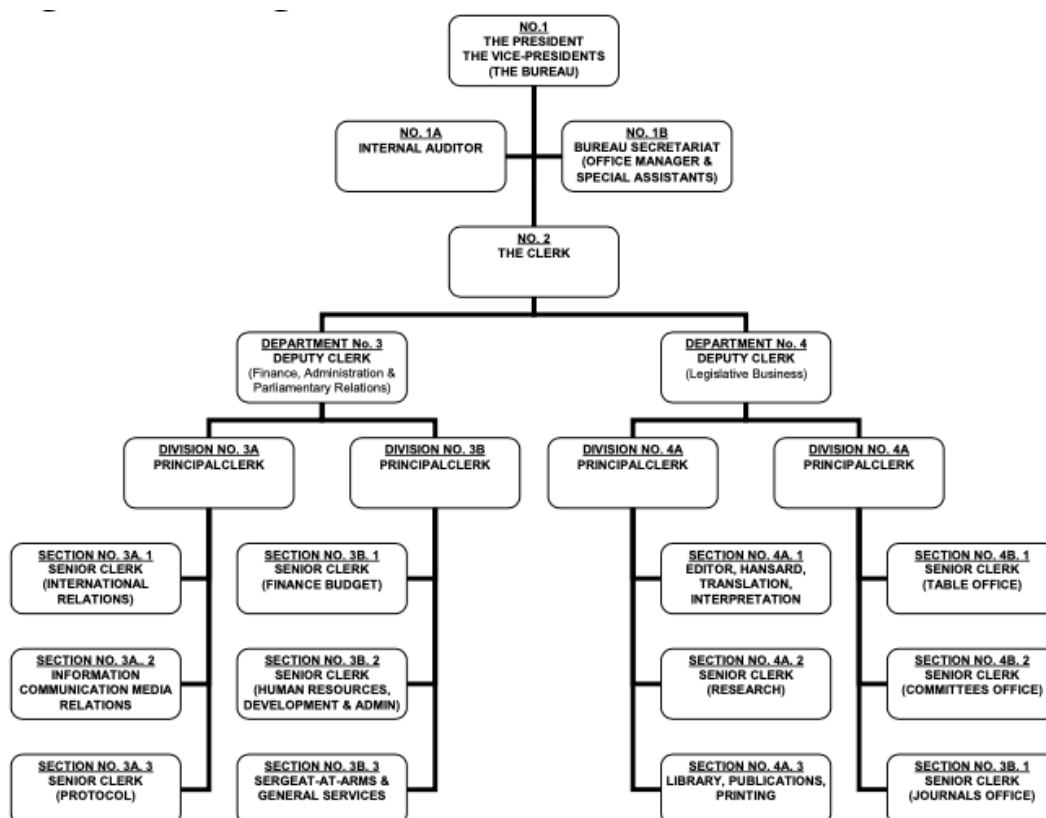
As stated earlier, the gradual „ownership’ of organizing and implementing various activities of the PAP, including its Sessions, is a historical milestone in its young existence. In this same light, creating and having its 2005 budget approved, is also a significant achievement.

It speaks to a critical element of organizational management, and that of financial stewardship. As time progresses, the PAP will become increasingly adept at budgetary projections, financial analysis and best practice systems. This kind of experience is not a clinical process in the growth and development of an organization such as this, but rather, it is an informed process of which the activities and programmes shape the nature and culture of the organization.

#### 4.6 Human resource and personnel requirements and approved Organogram

During the Third Ordinary Session, the House approved the proposed personnel requirements and Organogram of the PAP. This has enabled the commencement of the personnel recruitment process and will ultimately lead to a well-resourced institution, with increased capacity to fulfil its mandates. Though the human resource structure was approved, it was stated by the Bureau that the Institution is not static and therefore, its operational and development needs would require dynamic solutions. It was understood that though the structure was approved in principle that it might from time to time be amended Parliament’s human resource and personnel are needed to ensure effective and efficient fulfilment of its mandates. Below is the Organisation structure approved by the House during the 3<sup>rd</sup> Ordinary Session:

Figure 2: PAP Organisation structure



Source: PAP Human Resource Requirements and Organogram

#### 4.7 Work Plans for 2005

The Parliament, its Permanent Committees and the Secretariat are effecting the Work Plans for 2005, as approved by the House, which include the following activities:

- i. Formulation of Strategic Plan to support resource mobilization efforts;
- ii. Active support and financing of the Work Plans of Pan-African Parliamentary Committees;
- iii. Strengthening democratic processes in Member States through election observations and goodwill missions;
- iv. Resource mobilization for PAP activities and institutional capacity building;
- v. Pan-African Parliament image building campaign through presentations in Member States on its role, mandate and activities, including building relations with similar bodies worldwide;
- vi. Preparation, consideration of PAP Budget for 2006, including alternative funding mechanisms;
- vii. Detailed consideration of the African Union 2006 Budget, as per the Statutory mandate;
- viii. Detailed consideration of the Annual Reports and other reports of the Organs of the African Union, as per the Statutory Mandate;
- ix. Consideration and approval of the Management structure of the Pan-African Parliament by the Parliament;
- x. Consideration of Reports from Committees and Special Missions;
- xi. Convening the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Ordinary Sessions, including holding an Extra Ordinary Session, if deemed necessary;
- xii. Consideration, Preparation of PAP Annual Report;
- xiii. Consideration of the establishment of PAP website;
- xiv. Appointment of Consultants to work on appropriate Financial Rules, Staff Regulations, Members Directory, Codes of Conduct.

The Parliament is of the firm belief that planning is the first step towards progress, and is committed to ensuring that, with reduced expectation gaps, effective and measurable outputs will deliver positive results.

#### 4.8 The Darfur Fact Finding Mission Report

In accordance with the resolution establishing a Parliamentary Mission to Darfur, at the conclusion of the Second Ordinary Session, a PAP delegation was despatched to The Sudan to investigate the situation on the ground and report back to the House.

This Mission was successfully executed and its Report was adopted by the House during the Third Ordinary Session. The significance of this virgin Mission by the PAP acts as sound proof that PAP is not simply a 'talk-shop', but is set to fully execute its mandate. In terms of its mandate, this action further entrenches a key role that the PAP has been mandated to play; that is, the promotion of peace, security and stability for the Peoples of Africa. A full report can be viewed at PAP's website - [//www.pan-african-parliament.org](http://www.pan-african-parliament.org).

#### 4.9 Memoranda of Understanding (MOU)

Over the past year, two ground breaking MOU's were established. The first one was with the Organisation of European Parliamentarians for Africa (AWEPA), and the second was with the Council of the European Parliament. Both institutions have pledged to PAP on several levels, including;

- Capacity Building
- Advocacy and Communication
- Research, Training and Skills Enhancement
- Parliamentary procedures and organizational development

It is hoped that these interventions will certainly reinforce PAP's growth, ensuring that an institution worthy of the respect and support of the African People should realize its full potential.

#### 4.11 Working relations established

Among the working relations being nurtured, the Canadian Parliamentarians for Africa and the Government of India have set the pace. Both entities are committed to building relationships with the PAP that are grounded in mutual understanding and co-operation, in the areas of Institution Building and Information, Communication and Technology (ICT) development respectively.

These clearly show to be positive indications that the world is committed to realizing the success of the PAP and are prepared to participate at all levels to be partners to Africa's development.

## 5 Challenges

### 5.1 Introduction

While breaking new ground in PAP's development, the road to success has been challenging. The most pertinent challenges are highlighted below, not as a depiction of progress delayed, but rather as a motivation for the opportunities they present to stimulate the greater good of the organization and the people it serves. The five year set-up period before reviewing PAP's legislative role is a strategically sound decision that will theoretically allow PAP to build the capacity necessary to exercise legislative powers in future. The magnitude of that responsibility is appreciated by the Bureau, Members and the existing Ad Hoc Secretariat, of the Pan-African Parliament.

The following is a summary of PAP's 2005 Budget that was approved by the AU at a meeting of the Executive Council in Addis Ababa in December, 2004.

**Table 1: PAP Budget for 2005**

DESCRIPTION	AU APPROVED BUDGET (US\$)	PAP PROPOSAL (US\$)	VARIANCE NOT APPROVED (US\$)
Basic Salaries	706,896	706,896	
Post Adjustment Allowance	224,174	224,174	
Temporary Assistance	10,000	10,000	
Overtime Payment	15,000	15,000	
Common staff Costs	948,362	1,685,650	737,288
Official Missions – Bureau	150,000	150,000	
Official Missions – Parliaments	350,000	350,000	
Contingency Funds	50,000	50,000	
Maintenance Costs	29,000	29,000	
Communication Costs	75,000	75,000	
Supplies and Services	35,800	569,800	534,000
Equipment & Supplies	5,000	5,000	
Meetings and Seminars	3,009,821	3,046,432	36,611
<b>TOTAL</b>	<b>5,609,053</b>	<b>6,916,952</b>	<b>1,307,899</b>

*Source: The Pan African Parliament*

This budget, though not adequate and not fully disbursed, laid a solid foundation for PAP's activities leading to 2006. To some extent, PAP activities have been curtailed, which in itself justifies the growth intensive tone of the projected budget for 2006.

#### **5.2 Enhancing Pap's Relationship with the AU**

The AU is an integral factor in achieving the overall objectives of PAP. To this end, the PAP will forge ahead in entrenching an even stronger working relationship that is both beneficial and serves the interests of all the organs of the AU in terms of resource sharing and in building closer ties with regional economic communities. Therefore, it behoves the PAP to support the inextricable link between itself and the AU Commission, and as such, the Parliament will continue to ensure that it taps into the expertise, best practice and skills housed within the Commission in particular and the AU in general.

#### **5.3 Non-resident status of the Bureau**

Although the Bureau of the Parliament is not housed at the Parliament on a daily basis, the proceedings of the Pan-African Parliament ultimately lie within the decision-making realm of the Bureau on a continuous basis. The rotational system that has been implemented as an interim solution, whereby each Member of the Bureau spends a specified period of time per month at the PAP premises in South Africa, is a stop-gap measure designed to facilitate political guidance and the management operations of the Parliament. This will certainly become less challenging when the full list of permanent professional staff is installed at the Parliament.

#### **5.4 Attendance by Members of Parliament**

During its Ordinary sessions, as well as for their functions as Members of the various Permanent Committees, the Parliament has generally experienced a resounding turn-out by the Members of Parliament. However, the PAP Members of Parliament who have not yet fully appreciated the need to participate in the entire proceedings and duration of the Sessions, resulting in some Members departing earlier than the official conclusion, require a more concerted effort by all. Once this has been achieved, PAP will begin to realise its full potential.

## **6 Way forward**

### **6.1 Permanent staff recruitment**

The Parliament was called upon during the Third Ordinary Session to adopt the establishment of job descriptions for its support staff as stipulated under Rule 17(e) of the Rules of Procedure. The Bureau is responsible under the same Rules for regulating the procedures relating to the financial, organizational and administrative needs in accordance with Financial Rules of the AU Secretariat. The Bureau therefore, has directed that staff recruitment must commence and be concluded before the 4<sup>th</sup> Session.

The job descriptions for advertising purposes are being undertaken by a specialist company based on what has been approved under the structure and Organogram of the administration. The posts approved have been advertised in all countries. National Parliaments, as well as national media have been involved. The Parliament's own website has added impetus to the advertising effort, and served as the major channel for applicants willing to serve at PAP as staff members and, as such, the PAP has received a grand swell of applications.

## 6.2 Pap Budget for 2006

The 2006 budget is expected to be a growth oriented one to facilitate the Parliament to live up to the objectives which led to its establishment as follows:

- i. **PAP Organizational Structure**
  - a. Additional posts that will ensure growth like; research, committee clerks for each committee, enhancement of information and advocacy, Information and Communication Technology (ICTs);
- ii. **The Trust Fund**
  - a. Mobilisation of Seed Fund for a fund raising event;
  - b. Operationalisation of the Fund;
- iii. **The Strategic Plan:**
  - a. Establishment and sharing of the plan to partners and collaborators;
  - b. Implementation of the rolling plans of the strategic plans;
  - c. Monitoring and evaluation of the progress;
- iv. **Committees:**
  - a. Facilitation for playing the oversight and advisory roles;
  - b. Implementation of their priority areas (activities);
  - c. Convene their meetings before sessions and report to the House
- v. **Capacity building activities**
  - a. Training and exchange visits of Parliamentarians, the Bureau, Committees and the Secretariat;
  - b. Enhancement of Human Resource and Equipment of the PAP;
  - c. Orientation and training on how to work better for regional and supra-regional Parliaments for newly recruited permanent staff of PAP;
  - d. Design frameworks for elections mission and conflict and peace missions so that lessons learned are shared and debated in the house;
  - e. Building administrative and program capacity of the Secretariat to function effectively;
  - f. Orientation for newly elected PAP parliamentarians;
- vi. **Information Communication Technology:**
  - a. Installation;
  - b. Training;
  - c. Personnel for managing the unit;
  - d. Establishing efficient electronic information centre with interconnection centre to PAP Parliamentarian and their National Parliaments;
- vii. **Awareness creation of PAP to the peoples of Africa**
  - a. Conduct of regional level roundtables, workshops and seminars on regional integration;

- b. Conduct of joint regional consultations between parliamentarians, private sector, and civil society organisations;
  - c. Production and distribution of session proceedings through the media and National Parliament by CDs recorded during the plenary sessions of the Parliament
- viii. **Implementation of the Heads of State Assembly Decisions, Declarations and Resolutions:**
- a. Through monitoring and reporting;
  - b. Oversight and advisory roles;
- ix. **Domestication of MDGs and the NEPAD through PAP Parliamentarians to the Peoples of Africa;**

### 6.3 International relations

Africa is facing crucial challenges that need to be addressed with urgency. Among these challenges are the enforcement of human rights, the strengthening of democratic institutions, economic reforms, a cancellation debt, regional integration, peace and security. PAP, as a continental parliamentary body, must continue to foster its image and relationships with its stakeholders to effect its aims and objectives. It is against this background that there is need to further strengthen PAP's relations with National and Regional Parliaments, as well as various organizations on the continent and abroad.

Pursuant to Rule 77(1) of the Rules of Procedure, PAP is expected to work in close cooperation with the Parliaments of the Regional Economic Communities. These include:

- The Parliamentary Committee of the West African Economic and Monetary Union (IPC/WAMU);
- The Parliament of the Economic Community of West African States (ECOWAS);
- The Southern African Development Community Parliamentary Forum (SADC);
- The East African Legislative Assembly; and
- The Consultative Council of the Arab-Magreb Union.

The PAP is henceforth opening channels of cooperation with major interparliamentary organizations in order to be granted the status of Associate Member to the following organizations:

- The African Parliamentary Union;
- The Inter-Parliamentary Union;
- The Africa-Caribbean-Pacific Equal Representation/European Union

Also, the PAP has identified various International Parliaments and InterParliamentary Organizations that are poised to add value to PAP's aims and objectives. These include, but are not limited to:

- The Commonwealth Parliamentary Association (CPA);
- The Francophone Parliamentary Assembly;
- The Arab Inter-Parliamentary Assembly;
- The Parliamentary Conference of the Americas;
- The Parliamentary Assembly of the Council of Europe;
- The European Parliamentarians for Africa;

- The Conference of Parliamentary Committees on the Policy for Gender and Equal Opportunity in the European Union Member States and the European Parliament;
- The European Parliament;
- The Parliamentary Union of Member States of the Islamic Conference Organisation;
- The Asia-Pacific Parliamentary Forum;
- The Assembly of the Baltic States;
- The Assembly of the Union of Western Europe;
- The Inter-Parliamentary Assembly of the Community of Independent States;
- The Organization for Security and Co-operation in Europe Parliamentary Assembly;
- The North Atlantic Treaty Organisation Parliamentary Assembly;
- The Nordic Council;
- The Amazonian Parliament;
- The Andean Parliament;
- The Central American; and
- The Latin American Parliament.

Besides, the PAP has initiated co-operation with a view to building meaningful relations with the following specialized agencies:

- The European Centre for Parliamentary Research and Documentation;
- The International Institute for Democracy and Electoral Assistance;
- National Conference of State Legislatures of the United States of America;
- Parliamentary Network for Nuclear Disarmament;
- Global Parliamentarian Group for Habitat;
- African and Arab Parliamentarians Forum on Population and Development; and
- World Group of Parliamentarians for the Environment.

#### 6.4 **The PAP Strategic Plan 2006-10**

In order to methodically carry out its mandate, and in the short medium and long term, and in accordance with the protocol, the Pan African Parliament has embarked on the preparation of a Strategic Plan for the 2006-2010 period and beyond. The major aim of the PAP Strategic Plan is to clearly state the vision, mission and activities of the PAP and to identify the methods, human and material resources, partners, etc., to facilitate the implementation of its advisory and consultative objectives and mandate, as well as to prepare the ground for PAP's future legislative role and power.

The preparation of the Strategic Plan has quickly advanced to a stage of being tabled, discussed and resolved during the net Fourth Session of the Parliament. A Parliamentary Decision on the Strategic Plan will pave the way to more effective and guided activities of the Bureau committees, the newly-formed secretariat, and other functionaries. The Plan will also strongly gauge PAP's activities and relationship with other AU organs and institutional partners for Africa's integration and development.

#### 6.5 **The Fourth Ordinary Session**

The Fourth Ordinary Session will be called before the end of 2005. Preparations for this Session are underway. The Session will also mark the first time that the new Parliament Chamber will be

utilized, ushering in the next four years of Sessions in a Permanent House Seat. This will also mark the first session to be managed by a permanent staff compliment of the Parliament, in partnership with Member Parliaments, the South African Government, the AU, and other bodies. Once the agenda and programme have been finalized, this information will be disseminated to all Member Parliaments and relevant bodies.

## 7 Conclusion

### 7.0 Conclusion

The PAP has had an extraordinary year of robust activity, to say the least. Landmark achievements, activities and advocacies have begun to crystallize the oversight consultative, advisory and role, of the Parliament, both internally and externally. Challenges though inevitable in any organisation, they are more easily overcome when viewed as opportunities for progress than not. This is the spirit in which the Bureau, Committees, Parliamentarians and the support substructures at the Parliament have built as a resilient outlook on the future of PAP. With elements such as the Trust Fund, initiating Fact Finding Missions, launching the official website, Strategic Plan 2006-2010, the PAP is poised to achieve even greater success in the year to come for the benefit of the African People.

Support from influential political and socio-economic institutions and personalities, such as the African Union, Former African Heads of State, the Media, Regional and International Parliamentary forums, bears testimony to the realization of a truly Pan-African Parliament. The reality is that PAP's first year anniversary further entrenches the historical relevance and action driven-responses which Africa requires in order to conquer some of its most daunting challenges.

It is clear that the political and institutional heavyweights on this Continent believed that a Parliament was both necessary and possible. The Parliament must therefore, build on that solid foundation, to continue exceeding even its own expectations, not for history's sake alone, but because of the people of Africa, generation upon generation, depend on it. The PAP Strategic Plan 2006-2010 will act both as a foundation and transitional vehicle for PAP's mandate which are moving steadily from the advisory status to full legislation functions.